

# Considering Legalizing Medical Delivery to Comply with SB1186 and/or Recreational Delivery?

## Principles for Local Ordinances

**Is your jurisdiction currently not allowing any cannabis sales, or only allowing delivery from businesses located outside your jurisdiction, and thinking about compliance with SB1186 on access to medical cannabis? Or do you already license delivery businesses, but are looking for ways to improve your local approach?** Our data shows that even where recreational delivery is prohibited in CA, companies are still delivering to customers,<sup>1</sup> so it is important to either enforce local prohibitions or to license, regulate, and tax delivery that is happening. Here are some principles and links to model language for regulating cannabis delivery services that protect young people and community health where cannabis delivery is legalized. Full model language for local ordinances can be found in our [Model Ordinance for Cannabis Retailing & Marketing \(MO-RM\)](#),<sup>2</sup> our [Model Ordinance for Cannabis Taxation-Special \(MO-ST\)](#),<sup>3</sup> and our [Model Ordinance for Cannabis Taxation-General \(MO-GT\)](#),<sup>4</sup> specific page numbers from those documents are referenced below.

### Retailer Requirements

- Consider licensing without allowing for-profit businesses. Instead, you can, for example, license a single nonprofit to provide medical cannabis delivery under contract with the jurisdiction. This type of contract can impose stronger requirements for safer cannabis retail practices, which can be challenging to implement otherwise (*MO-RM, pp. 25-28*).
- If your jurisdiction is set on allowing for-profit businesses, you can limit licenses to a single business to provide medical delivery services jurisdiction-wide. At a minimum, limit licenses to < 1 per 19,000 inhabitants to avoid market oversaturation and business failures (*MO-RM, pp. 39-40*).
- You can prohibit delivery by retailers located outside your jurisdiction from delivering within it, but if your jurisdiction allows outside vendors, require that they obtain a local license (*MO-RM, pp. 36-37*) and tax their sales.
- Limit delivery destinations to residences only, excluding college dormitories, schools, and workplaces.
- Require retailers to use independent, third-party age-verification software checks on delivery to the final consumer (*MO-RM, pp. 32*).
- Require retailers to provide all customers with the [Department of Cannabis Control required brochure](#)<sup>5</sup> on the health effects of cannabis and steps for safer use (instead of just offering to new customers).

(See *Model Ordinance for Cannabis Retailing & Marketing (MO-RM)* for more details)

### Marketing Limits

- Limit or prohibit cannabis billboards.
- Require prominent health warnings on any ads.
- Limit health or therapeutic claims on cannabis products.
- Limit marketing attractive to youth.

(See *MO-RM, pp. 47-48, and definitions*)

### Taxes and Pricing

- Consider passing a local cannabis tax on both local licensed retailers and any outside licensed retailers you allow to deliver within your jurisdiction.
- Create a mechanism to dedicate most or all cannabis tax resources to the well-being of children and youth and substance abuse prevention, either through a community advisory committee recommending uses or a dedicated tax (*MO-ST, pp.21-23; MO-GT, pp.22-23*).
- Tax by THC content of products (*MO-ST, p. 8*).
- Prohibit Discounting (*MO-RM, pp. 49-50*).
- Set a minimum price for product classes (*MO-RM, pp. 49-50*).

(See *Model Ordinances for Special and General Taxation (MO-ST & MO-GT)*, and *Model Ordinance for Cannabis Retailing & Marketing (MO-RM)* for more details)

### Product Limits

- Require dose-diversity, including making low potency products available.
- Limit high THC potency products.<sup>6</sup>
- Prohibit flavored inhaled products.
- Prohibit cannabis infused beverages.
- Place additional limits on products attractive to youth.

(See *MO-RM, pp. 41-49, and definitions*)

### Smoke-Free Air

- Prohibit temporary cannabis events (*MO-RM, pp. 38-39*).

### Equity and Conflicts of Interest

- Prioritize licensing for equity oriented non-profit retailers or equity applicants (*MO-RM, pp. 27-28*).
- Provide cost-deferrals of permitting fees for equity applicants if relevant (*MO-RM, pp. 56-57*).

## References

1. Timberlake DS, Aviles J, Simard BJ, Padon AA, Soroosh AJ, Silver LD. Assessing violation of local cannabis delivery bans prior to enactment of California's Senate Bill 1186. *Int J Drug Policy*. 2025 Nov;145:105019.
2. Available at: <https://www.gettingitrightfromthestart.org/wp-content/uploads/2021/03/Model-Cannabis-Ordinance-MRL-3-3-2021.docx>
3. Available at: <https://www.gettingitrightfromthestart.org/wp-content/uploads/2020/10/ModelSpecialTaxOrdinance.pdf>
4. Available at: [https://www.gettingitrightfromthestart.org/wp-content/uploads/2021/08/Model-Marijuana-Local-General-Tax-Ordinance\\_v2\\_7.29.21.docx](https://www.gettingitrightfromthestart.org/wp-content/uploads/2021/08/Model-Marijuana-Local-General-Tax-Ordinance_v2_7.29.21.docx)
5. Department of Cannabis Control brochure: <https://cannabis.ca.gov/2024/12/sb-540-retailer-requirements/>
6. California High Potency Cannabis Scientific Committee Report and Recommendations. 2024.  
<https://www.gettingitrightfromthestart.org/wp-content/uploads/2024/10/California-High-Potency-Cannabis-Think-Tank-Report-10-30-24.pdf>